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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE DISTRICT OF NEVADA

12 THOMAS G. SMITTLE

13 Plaintiff(s),

14 vs.

15 NEVADA DEPARTMENT OF CORRECTIONS;
16 WARDEN BRIAN WILLIAMS,

17 Defendant(s).

18 CASE NO.: 2:08-cv-00787-GMN-LRL

19 **STIPULATION AND ORDER TO
20 DISMISS WITHOUT PREJUDICE**

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22 IT IS HEREBY STIPULATED by and between TIMOTHY ANDREWS, Deputy
23 Attorney General for the Defendants herein, and JULIE CAVANAUGH-BILL, attorney for the
24 Plaintiff herein, that the above-referenced proceeding be dismissed without prejudice. This
25 stipulation is made due to the fact that the relief sought in this action is now moot as applies to the
26 Petitioner individually as he is no longer incarcerated. Wherefore the parties agree as follows:

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28 1. The above-entitled action shall be dismissed without prejudice; and
29 2. The parties shall bear their own attorney fees and costs.

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31 SO STIPULATED this 4th day of August, 2011.

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37 OFFICE OF THE ATTORNEY GENERAL
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41
42 By: /s/ Julie Cavanaugh-Bill
43 Julie Cavanaugh-Bill
44 Attorney & Counselor at Law
45 Nevada Bar No. 11533

46
47 By: /s/Timothy F. Andrews
48 Timothy F. Andrews
49 Senior Deputy Attorney General
50 Nevada Bar No. 8759

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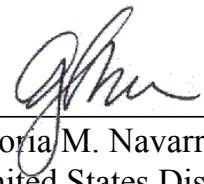
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3 **ORDER TO DISMISS WITHOUT PREJUDICE**

4 Upon Stipulation by counsel for the parties hereto, and with good cause appearing:

5 IT IS HEREBY ORDERED that the above-referenced matter is dismissed without
6 prejudice.

7 **DATED** this 5th day of August, 2011.

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10 Gloria M. Navarro
11 United States District Judge

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